

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application No. : 10/630,141
Applicant : John J. Giobbi
Filed : July 30, 2003
Title : Portable Data For Communicating With Gaming
Machine Over Wireless Link
TC/A.U. : 3714
Examiner : Jasson H. Yoo
Docket No. : 247079-000107USD2
Customer No. : 70243

Mail Stop Appeals
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REPLY BRIEF

Dear Commissioner:

This Reply is filed in support to the Appellants' appeal to the Board of Patent Appeals and Interferences ("Board") from the final rejection of claims 101-104 and 106-125 in the April 28, 2009 Final Office Action. (Exhibit B¹). An Answer Brief from the Examiner was filed on September 30, 2009. The due date for this Reply Brief is two months from the mailing date of the Examiner Answer and this Reply is being timely filed.

ARGUMENT

In the initial Appeals Brief, Applicant argued that a) Hedrick should not be combined with Rantze and Sizer that are in the unrelated merchandising fields; b) Hedrick should not be combined with Rantze and Sizer because this combination would render Hedrick inoperable for its intended purpose; and c) the combination of Hedrick, Rantze and Sizer does not anticipate the element of "modifying the operation of the machine" in claims 101, 102, 112 and 120.

¹ This Reply Brief will reference exhibits from the original Appeals Brief